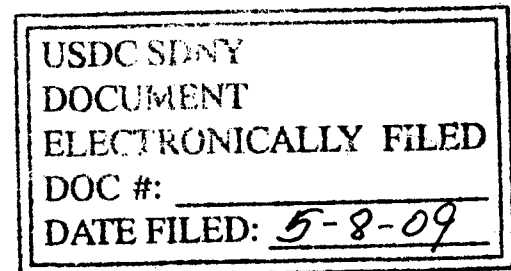


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
 ELLINGTON MANAGEMENT GROUP, LLC; :
 ELLINGTON OVERSEAS PARTNERS, LTD.; :
 ELLINGTON MORTGAGE INVESTORS LP; :
 ELLINGTON MORTGAGE PARTNERS LP; :
 ELLINGTON CREDIT FUND, LTD; :
 ELLINGTON LONG TERM FUND, LTD; and :
 ELLINGTON SPECIAL OPPORTUNITIES, :
 LTD., :
 :
 Plaintiffs, :
 :
 -v- :
 :
 AMERIQUEST MORTGAGE CO.; AMERIQUEST :
 MORTGAGE SECURITIES, INC.; ARGENT :
 MORTGAGE CO., LLC; ARGENT SECURITIES :
 INC.; ACC CAPITAL HOLDINGS CORP.; :
 and AMERIQUEST CAPITAL CORP., now :
 known as SBP CAPITAL CORP., :
 :
 Defendants. :
 -----x

09 Civ. 0416 (JSR)


ORDER



JED S. RAKOFF, U.S.D.J.

For the reasons stated from the bench, see transcript 5/5/09, defendants' motion to dismiss is denied without prejudice to being renewed after plaintiffs file their amended complaint on or before May 15, 2009. If defendants then move to dismiss the amended complaint, moving papers must be filed by June 19, 2009; answering papers must be filed by July 10, 2009; and reply papers must be filed by July 17, 2009. Oral argument on the motion will be heard on Friday, July 24, 2009 at 5:00 PM. The Clerk of the Court is directed to close document number 18 on the docket of this case.

SO ORDERED.


 JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
 May 7, 2009